



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Robert L. Morgan  
Executive Director

Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5340 telephone  
(801) 359-3940 fax  
(801) 538-7223 TTY  
[www.nr.utah.gov](http://www.nr.utah.gov)

March 13, 2003

TO: Minerals File

FROM: D. Wayne Hedberg, Permit Supervisor *DWH*

RE: Levan Town Hall Meeting, H.E. Davis Construction, Levan-Steele Gypsum Mine, M/023/016, Juab County, Utah

Date of Meeting: March 12, 2003

Purpose of Meeting: Continued discussion on progress of developing an alternative haul truck route around town of Levan.

Location of Meeting: Town Hall - Levan, Utah.

Time of Meeting: 2:00 p.m. – 4:00 p.m.

Participants: Commissioner Boyd Howarth (Juab County); Kay Christofferson (President/CEO – HE Davis) & John Child (Mine Manager, HE Davis); Bob Shephard (Mayor Levan), Bob Garrett (Juab County - Road Dept.); Magnus? Golden (Levan Land & Livestock, Levan Irrigation Co.); Phil Mandleson?? (Utah Highway Patrol); Wayne Hedberg (Utah DOGM).

On March 12, 2003, a second informal meeting was held in the Town Hall of Levan, Utah. The purpose of this meeting was to discuss Division of Wildlife Resources (DWR) position on the recent proposal from Levan City and Juab County to upgrade an access road crossing a portion of their property. Mr. Garrett handed out an agenda of discussion items to the participants. He said that Doug Sakaguchi couldn't attend the meeting today, but that he had spoken with Doug's boss, Dave Hintze, (DWR – Springville Office) on Monday who had informed him that their agency would likely accept the proposal and send a letter shortly. He said Mr. Hintze told him that DWR would request that a fence and possibly cattle guards be installed to help control unrestricted public access and grazing interests. DWR told him that they could provide the labor to install the fence, if others would supply the materials. It was unclear if the fence would need to be built along the entire (~2 mile) length of the affected DWR property, or just along the southern ¾ mile section.



Mayor Shephard and Mr. Golden stated that if a fence was built, they wanted it to be a deer (or elk) fence rather than a typical 4-strand barbed wire fence, to help keep wildlife out of their farmed fields. Potential costs and possible funding options were discussed by the group. Mr. Golden thought that a deer fence could be built and installed for about \$1400 per quarter mile. No one volunteered to take full responsibility to pay for a fence, but a possible shared expense might be possible. The group also discussed the need for installing cattle guards on DWR's property. It was the general consensus these structures would be very expensive to install and that if a fence was built, then these structures probably wouldn't be necessary.

The meeting continued with a discussion on the proposed road improvement design; who would be responsible for its construction and how it might be funded. The group debated the pros and cons of a graveled versus oiled running surface. A general consensus proposed a basic graveled surface for the first year, to be routinely watered (without magnesium-chloride application), as the preferred option. This would provide time to see if problem areas developed in the road that might require further upgrading. Installation of an oiled (double chip-seal, or roto-milled) surface would be considered, thereafter. Concerns for acquisition of sufficient water to keep the new access road and mine roads properly watered during active periods was discussed. Mr. Golden suggested that the county may have rights to an old well located north of Levan that might be a suitable source if refurbished. He also suggested that the Levan Irrigation Company might consider short term leasing of a couple shares of water to the town of Levan and/or the mine operator if they paid the annual assessment fees. Mr. Davis estimated that the entire road (up to the mines) might require 12,000 gals of water per day, 5 days/week during the dryer active operational periods.

Mr. Garrett confirmed that the County would provide equipment and labor to perform the basic grading work and lay down the sub-base material. Mr. Shephard and Mr. Golden confirmed that a local gravel source could be used for the sub-base. Mr. Garrett anticipated it would take about 3 weeks to perform their part of the road building work. He would like to get started as soon as possible. Mr. Christofferson said his company would provide the primary road base (~6-inch), but because of the high investment (~\$130,000) they would like to spread out the timeframe to complete this task over an extended timeframe (possibly 2-3 yrs). Mr. Garrett proposed that the county and operator share in the longer term routine maintenance expenses for the road after it is built.

I again asked about the progress being made on development plans for upgrading and/or improving the road up Chicken Creek Canyon connecting the two gypsum mines. Mr. Golden said that the contractual agreement between Levan Land & Livestock and H.E. Davis Construction required the operator to rebuild the old Plaster Mill access road by the end of the 2nd year of taking material from the Chicken Creek Mine. He said that this was the preferred



Page 3

HE Davis Construction, Levan-Steele Gypsum Mine

M/023/016

March 13, 2003

option, but that they would consider the other option of improving the main canyon road, if that proved a better alternative. I stressed the importance of making a decision in a timely manner to allow mining operations to recommence before the need became critical. Mr. Davis and Mr. Christensen stated that they did not anticipate needing to begin mining again before mid to late summer, possibly longer. Some limited exploration work might be required, but it was undecided at this time. They believe they can continue to meet their contracts for the time being from current operations at the Henry #1 & 2 Gypsum Mine. All agreed to continue discussion of the options to come to a decision as soon as possible.

Mr. Davis stated that Forest Service personnel had been watching an eagle's nest that has been located within close proximity (200-300 feet?) of the proposed road that will access an area above the current highwall at the Chicken Creek small mine site. The operator is considering a possible relocation of the access route from the east side of the quarry to the west side. The road could be built with at least one switchback to lessen the grade steepness. No decision has been made yet and periodic monitoring will likely continue for the time being to determine activity of the nest.

As the meeting concluded around 4:00 p.m., I hand delivered two letters to Mr. Christofferson. The first letter addressed Division approval of the recent small mine permit transfer application. The second letter addressed the Division's suspension of tentative approval and outlined the remaining large mine permit application technical concerns. I gave a copy of the second letter to Mayor Shephard. I thanked the Mayor and other participants for the opportunity to sit in on the meeting and encouraged them to continue to work together to finalize a plan that would mutually address all their issues. I asked them to please keep our agency in the loop, so that we can provide our assistance if needed, to help them work out acceptable solutions to their mining-related concerns.

jb

cc: Kay Christofferson, HE Davis Construction  
Bob Shephard – Mayor of Levan  
Bob Garrett – Juab Co. Road Dept.  
Doug Sakaguchi, DWR

O:\M023-Juab\m0230016-LevanGypsum\final\mtgmemo-03122003.doc